

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

COMCAST OF ILLINOIS X,)	8:03CV311
)	
Plaintiff,)	
)	
v.)	ORDER
)	
MULTI-VISION ELECTRONICS, INC.,)	
and RONALD J. ABBOUD,)	
)	
Defendants.)	
)	

This matter is before the court on defendants' motions to quash or to transfer, Filing No. 82, and for an extension of time to reply, Filing No. 102. Contrary to defendants' assertions, in granting reconsideration of its earlier order, the court did not cancel or continue the debtor's exam scheduled to occur on November 30, 2006. See Filing No. 95, Order at 2 (explicitly stating that "the court's order granting the motion [for a debtor's exam] should remain in effect.").

Defendants have not shown they have standing to challenge the subpoenas issued to various financial institutions and law firms. No other challenges to the subpoenas have been filed. Accordingly, defendants' motion to quash will be denied.

There is conflicting evidence regarding defendant Ron Abboud's residence and the location of his assets. Accordingly the court finds that defendants' motion to transfer should be denied.

However, defendant Abboud may be permitted to participate in the debtor's exam by telephone, provided that he produces the requested documents to defendants as ordered, and can arrange to testify under oath in Florida, having been placed under oath on the record by a suitable judicial officer or court reporter. Any motion to testify telephonically shall be made on or before November 27, 2006, should detail the

arrangements made for testimony under oath, and should be supported by a showing of compliance with the ordered document production. In light of this ruling, defendants' motion for additional time to respond is denied as moot.

Accordingly, IT IS HEREBY ORDERED:

1. Defendants' motions to quash or to transfer (Filing No. 92) and for an extension of time to reply (Filing No. 102) are denied.

2. Defendant Abboud shall appear before the undersigned to testify at a debtor's examination on **November 30, 2006, at 3:00 p.m.**, in Courtroom 3, Roman Hruska courthouse, 111 So. 111th Plaza, Omaha, Nebraska 68102.

3. Any motion to testify telephonically shall be made on or before November 27, 2006.

DATED this 17th day of November, 2006.

BY THE COURT:

s/ Joseph F. Bataillon

JOSEPH F. BATAILLON

Chief United States District Judge